LAW OFFICES OF MITCHELL J. DEVACK, PLLC

Attorneys at Law

MITCHELL J. DEVACK (N.Y. & FLA. BARS)

NICHOLAS P. OTIS THOMAS YANEGA PETER J. DIMARINIS

OF COUNSEL DIANE MEMMOLI The Financial Center At Mitchell Field 90 Merrick Ave - Suite 500 East Meadow, N.Y. 11554

> (516) 794-2800 Fax (516) 794-2900

E-Mail Address: MJD@DEVACKLAW.COM

January 29, 2010

Hon. E. Thomas Boyle U. S. Magistrate Judge U. S. Courthouse 100 Federal Plaza Central Islip, NY 11722

Re:

Taub v. Marchesi Di Barolo, S.P.A.

Civil Action No. 09-CV-599 (ADS) (ETB)

Honorable Sir:

We represent nonparties Vinteligence LLC d/b/a WineWave and Jack Cacciato. This will confirm that the nonparties' motion to quash subpoenas served by the plaintiffs will be argued on February 2, 2010 at 2:00 p.m.

We thank the Court for its attention to this matter.

Respectfully,

NPO:sv

cc: Gary Ettelman, Esq. (via e-mail)
John Dellaportas, Esq. (via e-mail)
Rachael Pontikes, Esq. (via e-mail)

NICHOLAS P. OTIS

F:\DATA\SUSAN_V\Cacciato\Vin-telligence, LLC\Marchesi Di Barolo, Spa\Taub\ltr to Hon. Boyle 1-29-10.doc